

# **TOWNSHIP OF BERGLAND**

## **ONTONAGON COUNTY, MICHIGAN**

### **PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS ORDINANCE**

ORDINANCE NO. 22

This is an Ordinance for the protection of the public health and safety of the citizens residing in Bergland Township and those recreating in the Township. This Ordinance also provides a title, defines words, Prohibits Marihuana Establishments within the Township's jurisdiction pursuant to Initiated Law 1 of 2018, MCL 333.27951, et seq , provides penalties for violation of the ordinance, provides severability, repeals conflicting ordinances and provides an effective date.

The Township of Bergland Ordains:

#### SECTION 1. TITLE

This Ordinance shall be known as The Bergland Township Prohibition of Marihuana Establishments Ordinance.

#### SECTION 2. DEFINITIONS

Words used in this Ordinance shall have definitions as provided for in MCL 333.27951 or as amended.

#### SECTION 3. NO MARIHUANA ESTABLISHMENTS

Bergland Township hereby prohibits any and all marihuana establishments within the jurisdiction of the township pursuant to MCL 333.27951 or as amended.

#### SECTION 4. VIOLATIONS AND PENALTIES

1. No person shall knowingly disobey, neglect or not comply with the no establishments provision of this law, or consent, allow or cause an establishment to exist, which shall be deemed a violation of this ordinance. Any violation is declared a nuisance.

2. Violation of this ordinance is a civil infraction. Fines for violation shall be a minimum of \$100 to a maximum of \$500 as determined by the Court. The sanctions as stated herein shall

be in addition to the rights of the Township to proceed at law or equity with other appropriate remedies. In addition thereto, a violator shall reimburse the township for all the costs incurred in prosecution of the municipal civil infraction.

3. Bergland Township may seek injunctive relief against any person found to be in violation of this ordinance after providing the person a 14 day notice, to cease and desist, and stop all business operations of the establishment. Every 14 day period the violation continues shall be deemed a separate violation.

4. This ordinance shall be administered and enforced by the Township Ordinance Enforcement Officer or other person that the Township Board designates.

#### SECTION 5. SEVERANCE

The provisions of this ordinance are declared to be severable. If any clause or part of a provision contained herein is declared void and unenforceable by any Court, it shall not affect the remainder of the ordinance which will remain in full force and effect.

#### SECTION 6. REPEAL


All ordinances or parts thereof in conflict herewith are hereby repealed.

#### SECTION 7. EFFECTIVE DATE

This ordinance shall take effect 30 days after the date of publication.

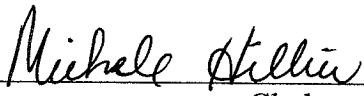
VOTE:	AYE;	<u>5</u>
	NAY;	<u>0</u>
	ABSENT;	<u>00</u>

This Ordinance is hereby declared to have been adopted and Passed by the Township Board of the Township of Bergland County of Ontonagon , State of Michigan, at a regular meeting thereof duly called and held on the 18th day of July, 2019.

  
\_\_\_\_\_  
Dave Roberts Supervisor  
Bergland Township, Michigan

ATTESTED;

I, ~~Michele Hillier~~ Bergland Township Clerk, do hereby certify that the foregoing is a true copy of an Ordinance adopted at a regular meeting of the Bergland Township board on the 18th day of July . 2019.

  
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Michele Hillier, Clerk  
Bergland Township, Michigan

Drafted by:  
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